

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No.: 1:24-cv-00710-LCB-JLW**

UNITED STATES OF AMERICA; STATE OF NORTH CAROLINA; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF CONNECTICUT; STATE OF ILLINOIS; COMMONWEALTH OF MASSACHUSETTS; STATE OF MINNESOTA; STATE OF OREGON; STATE OF TENNESSEE; and STATE OF WASHINGTON,

Plaintiffs,

v.

REALPAGE, INC.; CAMDEN PROPERTY TRUST; CORTLAND MANAGEMENT, LLC; CUSHMAN & WAKEFIELD, INC.; GREYSTAR REAL ESTATE PARTNERS, LLC; LIVCOR, LLC; PINNACLE PROPERTY MANAGEMENT SERVICES, LLC; and WILLOW BRIDGE PROPERTY COMPANY, LLC,

Defendants.

**DEFENDANT REALPAGE, INC.’S
MOTION TO DISMISS UNDER
FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6)**

ORAL ARGUMENT REQUESTED

Defendant RealPage, Inc. (“RealPage”) moves the Court to dismiss Plaintiffs’ Amended Complaint with prejudice under Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted.

As more fully set forth in RealPage’s accompanying brief, the grounds for this Motion are as follows:

1. The Court should dismiss Plaintiffs' claims under Sherman Act § 1 because the Amended Complaint fails to plead anticompetitive effects in a relevant market.

2. The Court should dismiss Plaintiffs' claims under Sherman Act § 2 because the Amended Complaint fails to plead that RealPage has engaged in exclusionary conduct, has actual or dangerously probable monopoly power in a relevant market, and specifically intended to monopolize a relevant market.

3. The Court should dismiss Plaintiffs' state-law claims because they are based on the same conduct, and governed by the same standards, as their Sherman Act claims, and therefore fail for the same reasons as their Sherman Act claims.

WHEREFORE, RealPage respectfully moves the Court to dismiss Plaintiffs' Amended Complaint with prejudice.

Respectfully submitted this 4th day of February 2025.

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